



City of NORFOLK

C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

January 13, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special Exception to allow a Kennel (with outdoor area) – Maryann Jacobson**

Reviewed:

Ward/Superward: 2/7

Ronald H. Williams, Jr., Deputy City Manager

Approved:

Item Number:

R-5

Marcus D. Jones, City Manager

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** This request would allow the operation of a kennel with an outdoor play area at an existing retail establishment.
- IV. **Applicant:** Maryann Jacobson – 3700 Hampton Boulevard
- V. **Description**
 - In October 2014 City Council approved an amendment to the *City of Norfolk Zoning Ordinance*, 1992 as amended to permit kennels (with outdoor area) by special exception in the C-2 (Corridor Commercial) districts subject to:
 - Not located within 100 feet of residential.
 - Finished side of fence for outdoor area must face out.
 - The subject property is zoned C-2.
 - Generally, properties fronting on Hampton Boulevard in this area are developed with commercial uses.
 - To the east and the rear of this property the area is developed with industrial uses.
 - The applicant is currently operating a retail establishment with a kennel with outdoor area located to the rear of the site adjacent to the industrial uses.
 - The outdoor area will be enclosed by a fence.
 - The special exception would bring her into compliance with the *Zoning Ordinance*.
 - A kennel with outdoor area adjacent to industrial uses and in accordance with the development standards should not have a negative impact.

Staff point of contact: Susan Pollock at 664-4765, susan.pollock@norfolk.gov

Attachments:

- Staff Report to CPC dated December 11, 2014 with attachments
- Proponents and Opponents
- Ordinance



City of NORFOLK

To the City Planning Commission
City of Norfolk, Virginia

December 11, 2014

From: Susan Pollock, CFM
Principal Planner

Subject: Special exception to
operate a kennel (with outdoor
area) on property located at 3700
Hampton Boulevard- **Muddy Paws**

Reviewed: Leonard M. Newcomb III, CFM, *LMN III*
Land Use Services Manager

Ward/Superward: 2/7

Approved:

George M. Homewood
George M. Homewood, AICP, CFM
Planning Director

Item Number: 5

I. Recommendation:

Staff recommends approval, given the character of development in the neighborhood, compliance with required development standards and consistency with *plaNorfolk2030*.

II. Applicant: Maryann Jacobson

III. Description:

This request would allow the operation of a kennel with an outdoor play area at an existing retail establishment.

IV. Analysis

The property is located in the on the northeast corner of 37th Street and Hampton Boulevard in the Kensington neighborhood.

Plan Analysis

- The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as commercial.
- The *Central Hampton Boulevard Area Plan* identifies this site as a location for office, research, and/or retail, with priority placed on ground floor retail uses.
 - The plan calls for parking to be screened, particularly from Hampton Boulevard, by fencing or plantings up to four feet in height, and for the creation of other planting areas wherever possible along streets.
- In order to be fully consistent with *plaNorfolk2030*, the special exception should be conditioned to require additional landscaping, such as landscape plantings at the base of the site's freestanding sign, in the area between the parking area and Hampton Boulevard.

Zoning Analysis

- In October 2014 City Council approved an amendment to the *City of Norfolk Zoning Ordinance*, 1992 as amended to permit kennels (with outdoor area) by special exception in the C-2 (Corridor Commercial) districts subject to:
 - Not located within 100 feet of residential.
 - Finished side of fence for outdoor area must face out.
- The subject property is zoned C-2.
- Generally, properties fronting on Hampton Boulevard in this area are developed with commercial uses.
- To the east and the rear of this property the area is developed with industrial uses.
- The applicant is currently operating a retail establishment with a kennel with outdoor area located to the rear of the site adjacent to the industrial uses.
- The outdoor area will be enclosed by a fence.
- The special exception would bring her into compliance with the *Zoning Ordinance*.
- A kennel with outdoor area adjacent to industrial uses and in accordance with the development standards should not have a negative impact.

Traffic Analysis

No additional trips are forecast related to the proposed addition of kennel services at this existing retail establishment.

Parking Analysis

- A kennel in the Traditional Character District is required to have one parking space per 400 square feet which results in 20 parking spaces.
- The site is grandfathered for 32 spaces, so no additional parking is needed.
- Five parking spaces are provided on site.

V. Financial Impact

The property owner is current on taxes.

VI. Environmental

The existing fenced area will be modified, but will encroach into the right-of-way and will require Design Review as well as approval of an encroachment.

VII. Community Outreach/Notification

- A letters was sent to the Kensington Civic League on December 2.
- Letters were mailed to all property owners within 300 feet of the property on November 26.
- Legal notification was placed in *The Virginian-Pilot* on November 27 and December 4.

VIII. Coordination/Outreach

This letter has been coordinated with the Department of City Planning and the City Attorney's Office.

Supporting Material from the Department of City Planning

- Proposed conditions
- Location Map
- Zoning Map
- Application
- Letter to Kensington Civic League

Proponents and Opponents

Proponents

Maryann Jacobson
3700 Hampton Boulevard
Norfolk, VA 23508

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A KENNEL (WITH OUTDOOR AREA) ON PROPERTY LOCATED AT 3700 HAMPTON BOULEVARD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of a Kennel (with outdoor area) on property located at 3700 Hampton Boulevard. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 75 feet, more or less, along the eastern line of Hampton Boulevard, beginning 125 feet, more or less, from the southern line of 38th Street and extending southwardly; property also fronts 150 feet, more or less, along the northern line of 37th Street; premises numbered 3700 Hampton Boulevard.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation shall be limited to 7:00 a.m. until 9:00 p.m., seven days per week. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) All signage on the premises shall conform to the regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all

types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;

- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

Kennel (outdoor area) - Conditions
Maryann Jacobson – 3700 Hampton Boulevard

- (a) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."
- (b) Landscaping will be provided at the base of the existing freestanding sign in accordance with a plan submitted to Recreation, Parks and Open Space.
- (c) The outdoor area shall be cleaned frequently and remain free of debris and animal waste.

Print Name: _____

Sign: _____ Date: _____

Location Map



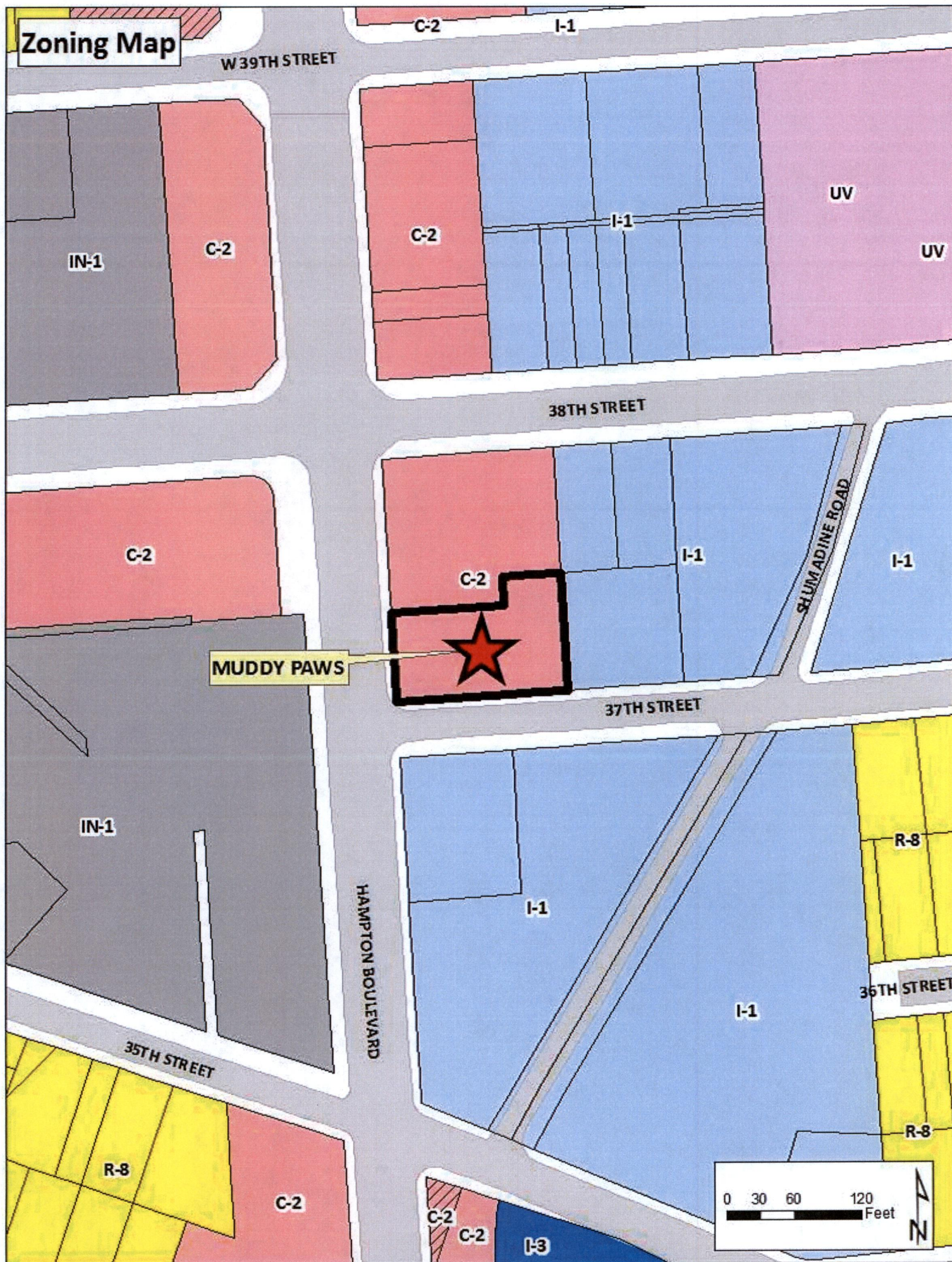
MUDDY PAWS

37TH STREET

0 5 10 20
Feet

N

Zoning Map





APPLICATION SPECIAL EXCEPTION

Special Exception for: Kennel, (with outdoor AREA)

Date of application: September 29, 14

DESCRIPTION OF PROPERTY

Property location: (Street Number) 3700 (Street Name) Hampton Blvd.

Existing Use of Property Retail, grooming, daycare for ^{dogs & cats} ~~animals~~

Current Building Square Footage 8,119

Proposed Use Kennel with outdoor area

Proposed Square Footage 8,119

Proposed Hours of Operation:

Weekday From 7:00 AM To 9:00 PM

Friday From 7:00 AM To 9:00 PM

Saturday From 7:00 AM To 9:00 PM

Sunday From 7:00 AM To 9:00 PM

Trade Name of Business (If applicable) The Muddy Paw Grooming & Retail Store

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) Jacobson (First) Maryann (MI) —

Mailing address of applicant (Street/P.O. Box): 141 Dover Circle

(City) Norfolk (State) va (Zip Code) 23505

Daytime telephone number of applicant (757) 434-2245 Fax number (757) 945-9703

E-mail address of applicant: mnddyawspetstore@yahoo.com

2. Name of property owner: (Last) Alexander (First) Julie (MI) —
CBRE

Mailing address of property owner (Street/P.O. box): 150 West Main St Suite 1100

(City) Norfolk (State) VA (Zip Code) 23510

Daytime telephone number of owner (757) 490.3300 Fax number (757) 490.1200

CIVIC LEAGUE INFORMATION

Civic League contact: _____

Date(s) contacted: _____

Ward/Super Ward information: WARD 2, WARD 7

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to Norfolk City Treasurer).
 - Application fee includes a non-refundable \$5 technology surcharge.
 - ✓ Two 8½ x 14 inch copies of a survey or site plan drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking,
 - Landscaping
 - Property lines (*see attached example).
-

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(Revised July, 2013)

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Julie Alexander Sign: Julie Alexander 30, 2014
(Property Owner or Authorized Agent Signature) CBRE (Date)

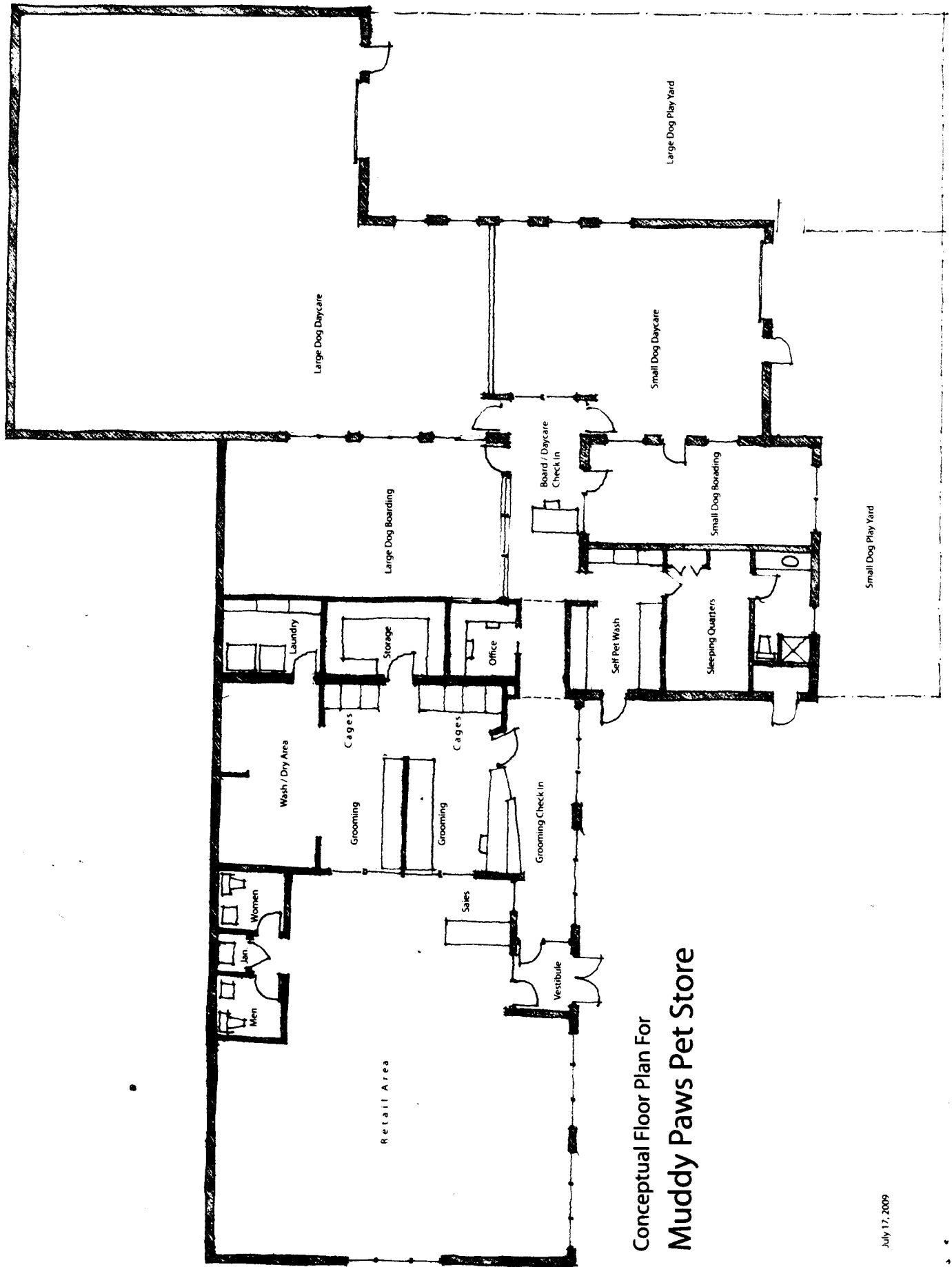
Maryann Jacobson
Print name: Maryann Jacobson Sign: Maryann Jacobson Sept 29, 14
(Applicant or Authorized Agent Signature) (Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)



Conceptual Floor Plan For Muddy Paws Pet Store

July 17, 2009



December 2, 2014

Reginald King
President, Kensington/Old Dominion
1017 W. 36th Street
Norfolk, VA 23508

Dear Mr. Murphy,

The Planning Department has received an application for a Special exception to operate a kennel (with outdoor area) on property located at 3700 Hampton Boulevard. This item is tentatively scheduled for the December 11, 2014 City Planning Commission public hearing.

Summary

This request would allow Muddy Paws to continue to operate a kennel with outdoor play area.

If you would like additional information on the request, you may contact the applicant, Maryanne Jacobson at (757) 434-2245 or you may contact me at susan.pollock@norfolk.gov, or (757) 664-4765. A copy of the complete application is enclosed.

Sincerely,

Susan Pollock
Principal Planner

cc: Vanessa Seals, Senior Neighborhood Development Specialist
vanessa.seals@norfolk.gov or (757) 823-4357